

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
MAY 11, 2006**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 06-0060-UST
 Order Date: February 24, 2006
 Respondent: **Mustafa Sefer**
 Facility: Corner Cupboard
 Location/Mailing Address: 6344 Hwy 162
 Hollywood, SC 29449
 County: Charleston
 Previous Orders: None
 Permit/ID Number: 01779
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a); R.61-92, §280.31(c); R.61-92, §280.34(c).

Summary: Mustafa Sefer owns and operates underground storage tanks located at 6344 Highway 162 in Hollywood, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; failure to inspect the impressed current system every 60 days; and, failure to supply records to the Department upon request.

Action: The Respondent has corrected the violations and the civil penalty in the amount of five hundred fifty dollars (**\$550.00**) was **suspended**.

- 2) Order Type and Number: Administrative Order 05-0650-UST
 Order Date: December 13, 2005
 Respondent: **Jethro Beauford**
 Facility: M&B Alvin Community Mart
 Location/Mailing Address: 2190 Santee River Rd.
 Alvin, SC 29479
 County: Berkeley
 Previous Orders: None
 Permit/ID Number: 18149
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a); R.61-92, §280.34(c).

Summary: Jethro Beauford owns and operates underground storage tanks located at 2190 Santee River Road in Alvin, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as

follows: failure to provide adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of five thousand seventy-two dollars **(\$5,072.00)** when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by either providing tank and line tightness test results and current release detection records for the tanks, or emptying the tanks to less than one inch. The Administrative Order was not appealed.

- 3) Order Type and Number: Administrative Order 05-0402-UST
 Order Date: December 13, 2005
 Respondent: **3BM, LLC**
 Facility: R Food Mart
 Location/Mailing Address: 1257 Saint James St.
 Summerville, SC 29483

 County: Berkeley
 Previous Orders: None
 Permit/ID Number: 15338
 Violations Cited: UST Control Regulations, R.61-92,
 §280.93(a); R.61-92, §280.110(c).

Summary: 3BM, LLC owns and operates underground storage tanks located at 1257 Saint James Avenue in Summerville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility as required by the Department; and, failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of two thousand seven hundred fifty dollars **(\$2,750.00)** when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by submitting the financial responsibility documentation. The Administrative Order was not appealed.

- 4) Order Type and Number: Administrative Order 05-0819-UST
 Order Date: January 27, 2006
 Respondent: **Carolina Food & Gas, LLC, and**
 Krish Investments, LLC
 Facility: Carolina Food & Gas
 Location/Mailing Address: 938 Edgefield Rd.
 North Augusta, SC 29841

 County: Aiken
 Previous Orders: CO 05-0561-UST (\$1,100)
 Permit/ID Number: 00113

Violations Cited: UST Control Regulations, R.61-92, §280.40(a); R.61-92, §280.34(c).

Summary: Carolina Food & Gas, LLC owns and Krish Investments, LLC operates underground storage tanks located at 938 Edgefield Road in Aiken, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of two thousand four hundred thirty dollars **(\$2,430.00)** when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by providing release detection records for tank #2. The Administrative Order was not appealed.

Solid Waste Enforcement

5) Order Type and Number: Consent Order 06-02-SW
Order Date: March 1, 2006
Respondent: **William Howard**
Facility: William Howard Land-Clearing
Debris Landfill
Location/Mailing Address: 1150 Gowan Rd/ 257 Burnett Rd
Inman, SC 29349/Inman, SC 29349
County: Spartanburg
Previous Orders: None
Permit/ID Number: 422712-1701
Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991, Construction, Demolition and Land-
Clearing Debris Landfills Regulation, 25A S.C. Ann. Reg. 61-107.11, Part
II, C. (Supp. 2003), Permit# 422712-1701.

Summary: William Howard operates William Howard Land-Clearing Debris Landfill (Landfill) in Spartanburg County, South Carolina, under Permit # 422712-1701 (Permit). The Landfill failed to submit the FY 2005 annual report, due by October 15, 2005, in a timely manner.

Action: Consent Order 06-02-SW (Order) requires the Landfill to pay a civil penalty of five hundred dollars **(\$500.00)**.

BUREAU OF WATER

Drinking Water Enforcement

- 6) Order Type and Number: Consent Order 06-023-DW
 Order Date: February 3, 2006
 Respondent: **Dorchester County Water Authority Knightsville**
 Facility: Dorchester County Water Authority/Knightsville PWS
 Location/Mailing Address: P.O. Box 1565
 Summerville, S.C. 29483
 County: Dorchester
 Previous Orders: None
 Permit/ID Number: 1820001
 Violations Cited: S.C. Code Ann. Regs. 61-58.5(P)

Summary: Dorchester County Water Authority (DCWA)/Knightsville (Respondent) owns and is responsible for the operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for total trihalomethanes (TTHMs) during the April–June 2004, October–December 2004, January–March 2005, and April–June 2005 monitoring periods.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit in writing a summary of corrective actions taken that have lowered the Respondent's levels of TTHMs; and pay a **stipulated penalty** in the amount of two thousand eight hundred dollars (**\$2,800.00**) if it fails to meet any requirement of this Order.

- 7) Order Type and Number: Consent Order 06-028-DW
 Order Date: February 9, 2006
 Respondent: **Town of Ridgeway**
 Facility: Town of Ridgeway
 Location/Mailing Address: P.O. Box 24
 Ridgeway, S.C. 29130
 County: Fairfield
 Previous Orders: None
 Permit/ID Number: 2010002
 Violations Cited: S.C. Code Ann. Regs. 61-58.5(P)

Summary: The Town of Ridgeway (Respondent) owns and is responsible for the operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as

follows: exceeded the maximum contaminant level (MCL) for total haloacetic acids (HAAs) during the April – June 2004, October – December 2004, and January – March 2005 monitoring periods.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit in writing a summary of corrective actions taken that have lowered the Respondent's levels of HAAs; and pay a **stipulated penalty** in the amount of two thousand eight hundred dollars (**\$2,800.00**) if it fails to meet any requirement of this Order.

8)	<u>Order Type and Number:</u>	Consent Order 06-031-DW
	<u>Order Date:</u>	February 21, 2006
	<u>Respondent:</u>	Derrick Howard
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	P.O. Box 81106 Charleston, S.C. 29416
	<u>County:</u>	Berkeley
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	Certification #1725
	<u>Violations Cited:</u>	S. C. Code Ann. Regs. 61-71(F)
		(2)(c), and 61-71(F)(12)(a)

Summary: Derrick Howard (Respondent) is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to properly grout a well and failure to submit a water well record form within 30 days after well completion.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations concerning well construction and permitting; submit the water well record form; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

9)	<u>Order Type and Number:</u>	Consent Order 06-032-DW
	<u>Order Date:</u>	February 21, 2006
	<u>Respondent:</u>	Bunnell-Lammons Engineering, Inc.
	<u>Facility:</u>	Bunnell-Lammons Engineering, Inc.
	<u>Location/Mailing Address:</u>	6004 Ponders Court Greenville, S.C. 29615
	<u>County:</u>	Union
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A

Violations Cited: S.C. Code Ann. Regs. 61-71(H)(1)(a) (Supp. 2004)

Summary: Bunnell-Lammons Engineering, Inc. (Respondent) is responsible for the proper installation of 2 temporary monitoring wells located at the Union County Regional Municipal Solid Waste Landfill (Site). The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to obtain Department approval prior to the installation of 2 temporary monitoring wells.

Action: The Respondent has agreed to: comply with all State rules and regulations concerning well construction and pay a civil penalty in the amount of two thousand eight hundred dollars **(\$2,800.00)**.

10) Order Type and Number: Consent Order 06-036-DW
Order Date: February 23, 2006
Respondent: **Town of Carlisle**
Facility: Town of Carlisle
Location/Mailing Address: P.O. Box 305
Carlisle, S.C. 29031
County: Union
Previous Orders: None
Permit/ID Number: 4410003
Violations Cited: S.C. Code Ann. Regs. 61-58.5(P)

Summary: The Town of Carlisle (Respondent) owns and is responsible for the operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for total trihalomethanes (TTHMs) during the April – June 2004, July – September 2004, October – December 2004, and April – June 2005 monitoring periods.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit in writing a summary of corrective actions taken to lower the levels of TTHMs; pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**; and pay a **stipulated penalty** in the amount of one thousand eight hundred dollars **(\$1,800.00)** if it fails to meet any requirement of this Order. The civil penalty has been paid.

11) Order Type and Number: Administrative Order 06-027-DW
Order Date: February 15, 2006
Respondent: **River Pines Water System, Inc.**
Facility: River Pines Subdivision

Location/Mailing Address: 2 5th Street
Charleston, S.C. 29403
County: York
Previous Orders: AO 04-138-DW- (Woodforest S/D)
(\$15,000)
Permit/ID Number: 4650002
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(C), 61-58.6(E), 61-58.11(H)(3), 61-58.6(E) and 61-30(G)(2)

Summary: River Pines Water System, Inc. and River Pines Water System, Inc. d/b/a River Pines Subdivision Public Water System (PWS) (Respondents) are responsible for the proper operation and maintenance of a PWS. The Respondents have violated the State Primary Drinking Water Regulations and Environmental Protection Fee Regulations as follows: failure to perform nitrate monitoring for the 2005 monitoring period; failure to issue public notice for the nitrate non-monitoring; failure to perform lead and copper monitoring for the June-September 2003 and June-September 2004 monitoring periods; failure to issue public notice for the lead and copper non-monitoring; and failure to pay State Safe Drinking Water Fees for the 2005 fiscal year.

Action: The Respondents have been ordered to: issue public notice for the nitrate non-monitoring violation and for the lead and copper non-monitoring violations; pay the past due State Safe Drinking Water Fees totaling two thousand one hundred ninety-one dollars and seventy-five cents (\$2,191.75); and pay a civil penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**).

12) Order Type and Number: Consent Order 06-033-DW
Order Date: March 7, 2006
Respondent: **Johnnie Capers**
Facility: Pringletown Quick Stop, Inc.
Location/Mailing Address: P.O. Box 621
Ridgeville, S.C. 29472
County: Berkeley
Previous Orders: None
Permit/ID Number: PWS #0872034
Violations Cited: S.C. Code Ann. Regs. 61-58.7(B)(1), 61-58.1(B)(1), and 61-58.1(K)(1)

Summary: Pringletown Quick Stop, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS) that serves the customers and employees of Pringletown Quick Stop, Inc. located at 1088 Old Gilliard Road in Ridgeville, South Carolina. The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS; failure to obtain a permit to construct prior to the modification of the PWS; and

failure to obtain approval to operate prior to placing a PWS modification into operation.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations concerning the PWS; remediate all violations; and pay a civil penalty in the amount of three thousand dollars **(\$3,000.00)** in monthly installments.

13) Order Type and Number: Consent Order 06-053-DW
Order Date: March 29, 2006
Respondent: **Sandy Brazil**
Facility: Oak Meadows S/D
Location/Mailing Address: 4604 Oak Meadows Court
Rock Hill, S.C. 29732
County: York
Previous Orders: None
Permit/ID Number: 4650033
Violations Cited: S.C. Code Ann. Regs. 61-58.5(F)(1)(b) and 61-58.6(E)

Summary: Sandy Brazil (Respondent) is responsible for the operation and maintenance of the Oak Meadows Subdivision public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for total coliform during the January 1, 2005 – March 31, 2005 and April 1, 2005 – June 30, 2005 monitoring periods and public notice was not issued for exceeding the MCL for total coliform during the January 1, 2005 – March 31, 2005 monitoring period.

Action: The Respondent has agreed to: connect to the City of Rock Hill and pay a **stipulated penalty** in the amount of **(\$2,800.00)** should she fail to comply with any requirement of the Order.

14) Order Type and Number: Consent Order 06-055-DW
Order Date: March 29, 2006
Respondent: **Riddle Landing Homeowner's Association, Inc.**
Facility: Riddle Landing PWS
Location/Mailing Address: 312 Vincenne Rd.
Columbia, S.C. 29212
County: Richland County
Previous Orders: None
Permit/ID Number: 4050025
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(F) and 61-58.6(E)

Summary: Riddle Landing Homeowner's Association, Inc. (Respondent) is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant levels (MCL) for total coliform for 5 quarterly monitoring periods and failure to issue public notice for the MCL exceedance for total coliform for 3 of the above mentioned monitoring periods.

Action: The Respondent has agreed to: submit public notice for the 3 monitoring periods not yet performed; submit an investigative report that determines what caused the MCL exceedances and a corrective action plan that proposes steps to address the causes of the MCL exceedances; and pay a civil penalty in the amount of one thousand two hundred twenty-five dollars (\$1,225.00).

Water Pollution Enforcement

15) Order Type and Number: Consent Order 06-017-W
Order Date: February 3, 2006
Respondent: **Mount Pleasant Waterworks**
Facility: Mount Pleasant Waterworks WWTF
Location/Mailing Address: P.O. Box 330
Mount Pleasant, S.C. 29465
County: Charleston
Previous Orders: None
Permit/ID Number: SC0040771
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) and (e)
(Supp. 2005)

Summary: Mount Pleasant Waterworks (Respondent) owns and is responsible for the proper operation and maintenance of the Center Street and Rifle Range Road wastewater treatment facilities (WWTFs). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for fecal coliform (FC).

Action: The Respondent has agreed to: pay a civil penalty in the amount of five thousand one hundred dollars (\$5,100.00).

16) Order Type and Number: Consent Order 06-019-W
Order Date: February 9, 2006
Respondent: **Town of Calhoun Falls**

Facility: Calhoun Falls WWTF
Location/Mailing Address: 401 Washington Street
Calhoun Falls, S.C. 29628
County: Abbeville
Previous Orders: 04-015-W (\$0)
Permit/ID Number: SC0046892
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(e)
(Supp. 2005).

Summary: The Town of Calhoun Falls (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater collection system (WWCS). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to properly operate and maintain the WWCS in accordance with the National Pollutant Discharge Elimination System (NPDES) permit and discharged untreated wastewater into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; develop and implement a capacity, Management, Operation, and Maintenance (cMOM) audit for the WWCS; complete an inflow/infiltration (I/I) study of the WWCS; submit routine progress reports; and pay a civil penalty in the amount of eleven thousand two hundred dollars (\$11,200.00) in quarterly installments.

17) Order Type and Number: Consent Order 06-020-W
Order Date: February 9, 2006
Respondent: **KOYO Corporation**
Facility: KOYO Corporation
Location/Mailing Address: P.O. Box 967
Orangeburg, S.C. 29115
County: Orangeburg
Previous Orders: None
Permit/ID Number: SCG2500734
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(d)(1) (Supp. 2005)

Summary: KOYO Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and disposal system. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for the renewal of its National Pollutant Discharge Elimination System (NPDES) permit at least 180 days prior to the expiration date of the existing permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; operate and maintain the utility water treatment and disposal system in accordance with the most recently issued NPDES permit until a new permit is issued; and pay a civil penalty in the amount of one thousand four hundred dollars (\$1,400.00).

18) Order Type and Number: Consent Order 06-021-W
 Order Date: February 20, 2006
 Respondent: **Greenville Technical College**
 Facility: Greenville Technical College
 Location/Mailing Address: P.O. Box 5616
 Greenville, S.C. 29606

 County: Greenville
 Previous Orders: None
 Permit/ID Number: SCG250072
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(d)(1) (Supp.
 2005)

Summary: Greenville Technical College (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and disposal system. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for the renewal of its National Pollutant Discharge Elimination System (NPDES) permit at least 180 days prior to the expiration date of the existing permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; operate and maintain the utility water treatment and disposal system in accordance with the most recently issued NPDES permit until a new permit is issued; and pay a civil penalty in the amount of one thousand four hundred dollars (\$1,400.00).

19) Order Type and Number: Consent Order 06-022-W
 Order Date: February 3, 2006
 Respondent: **Ameritex Yarn, LLC**
 Facility: Ameritex Yarn, LLC-Spartanburg
 Location/Mailing Address: 655 Old Greenville Hwy
 Spartanburg, S.C. 29301

 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: SCG250147
 Violations Cited: S.C. Code Ann. § 48-1-110 (Supp.
 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(d)(1) (Supp.2005)

Summary: Ameritex Yarn, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and discharge system that serves its manufacturing facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit an administratively complete application for renewal of its NPDES Permit 180 days prior to the expiration date of the permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application for renewal of the permit; continue to operate the facility in accordance with the most recently issued NPDES permit until a new permit becomes effective; and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

20) Order Type and Number: Consent Order 06-024-W
Order Date: February 9, 2006
Respondent: **Wikoff Color Corporation**
Facility: Wikoff Color Corporation
Location/Mailing Address: 1886 Merritt Road
Fort Mill, S.C. 29715-7707
County: York
Previous Orders: None
Permit/ID Number: SCG250094
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(d)(1) (Supp. 2005)

Summary: Wikoff Color Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and disposal system. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for the renewal of its NPDES permit at least 180 days prior to the expiration date of the existing permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; operate and maintain the utility water treatment and disposal system in accordance with the most recently issued NPDES permit until a new permit is issued; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

21) Order Type and Number: Consent Order 06-025-W
Order Date: February 21, 2006
Respondent: **Mixon Construction Company**
Facility: Howlandville Heights Subdivision

Location/Mailing Address: P.O. Box 276
Clearwater, S.C. 29822
County: Aiken
Previous Orders: None
Permit/ID Number: SCR108291
Violations Cited: S.C. Code Ann § 48-1-90(a)(1)
(1987), 25 S.C. Code Ann. Regs. 61-68(E)(5)(d) (Supp. 2005) and 24 S.C.
Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2005)

Summary: Mixon Construction Company (Respondent) is responsible for the development and construction activity of the Howlandville Heights Subdivision (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to comply with all conditions of the permit and failed to install and properly maintain erosion and sediment control devices.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a report, completed and stamped by a S.C. Registered Professional Engineer certifying that the installation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of eight thousand dollars (**\$8000.00**).

22) Order Type and Number: Consent Order 06-026-W
Order Date: February 21, 2006
Respondent: **Leigh Fibers, Inc.**
Facility: Leigh Fibers, Inc.
Location/Mailing Address: P.O. Box 1132
Spartanburg, S.C. 29304
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCG250170
Violations Cited: S.C. Code Ann § 48-1-110(d)(1)
Supp. 2005 and 24 S.C. Code Ann. Regs. 69.9-122.21(d)(1) (Supp. 2005)

Summary: Leigh Fibers, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and discharge system that serves its industrial facility (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to submit an administratively complete application for the renewal of its permit at least 180 days prior to the expiration date of the existing permit and discharged utility water into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; continue to operate the utility water treatment discharge in accordance with the most recent National Pollutant Discharge Elimination System (NPDES) permit until a new permit becomes effective; submit an administratively complete application for permit renewal or cease and desist all discharges; and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

- 23) Order Type and Number: Consent Order 06-035-W
 Order Date: February 23, 2006
 Respondent: **Town of Kingtree**
 Facility: Kingtree WWTF
 Location/Mailing Address: 401 North Long Street
 Kingtree, S.C. 29556
 County: Williamsburg
 Previous Orders: 02-016-W (\$0)
 Permit/ID Number: SC0035971
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(e) (Supp. 2005)

Summary: The Town of Kingtree (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits of its NPDES Permit for ammonia-nitrogen (NH₃-N).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a detailed summary of corrective actions taken to date; revoke and reissue any industrial user's (IU) pretreatment permit determined to be responsible for the pass through NH₃-N violations; submit semi-annual progress reports for one year detailing corrective action taken by both the Respondent and the IU to ensure compliance with the NPDES Permit; and pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**).

- 24) Order Type and Number: Consent Order 06-037-W
 Order Date: February 23, 2006
 Respondent: **Ronald R. Rich**
 Facility: Richglen Subdivision, Phase II
 Location/Mailing Address: 210 Hammett Bridge Road
 Greer, S.C. 29650
 County: Greenville
 Previous Orders: None
 Permit/ID Number: SCR101692

Violations Cited: S.C. Code Ann. § 48-1-110(d), 48-1-90(a) (1987 and Supp.2005), 24 S.C. Code Ann. Regs. 61-9.122.41(a)(e) (Supp. 2005), and 61-68.E(5)(d) (Supp. 2005)

Summary: Ronald R. Rich (Respondent) owns and is responsible for land clearing, grading and construction activities at Richglen Subdivision, Phase II, (Tax Map number 535.1-1-29.3) (Site). The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations, and Water Classifications and Standards as follows: failed to properly install and maintain all storm water control devices as required by its National Pollutant Discharge Elimination System (NPDES) Permit SCR100000 and discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: submit a report prepared by a S.C. Registered Professional Engineer certifying that all necessary storm water controls are installed and properly functioning and pay a civil penalty in the amount of eight thousand four hundred dollars **(\$8,400.00)** in quarterly installments.

25) Order Type and Number: Consent Order 06-038-W
Order Date: February 23, 2006
Respondent: **G. David Shuler**
Facility: Shuler Hog Facility
Location/Mailing Address: 171 Rasum Drive
Holly Hill, S.C. 29059
County: Orangeburg
Previous Orders: None
Permit/ID Number: ND0012700
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.90(N) (Supp. 2005) and 25 S.C. Code Ann. Regs. 61-43.100.140 (O) (Supp. 2005)

Summary: Mr. G. David Shuler (Respondent) owns and operates the Shuler Hog Facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to maintain proper water levels in the lagoon; failed to immediately notify the Department of the failure in the treatment system; and discharged lagoon waste into the environment, in a manner other than in compliance with a permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a revised Animal Facility Management Plan for the Site that is to include a burial assessment by the Natural Resource Conservation Service or an S.C. Registered Professional Engineer, certifying that all of the deficiencies noted in the Department inspections are corrected and are in

accordance with the permit for the Site; and pay a civil penalty in the amount of eight thousand five hundred twenty-five dollars **(\$8,525.00)**.

- 26) Order Type and Number: Consent Order 06-039-W
 Order Date: February 23, 2006
 Respondent: **Hanson Brick East, LLC**
 Facility: Manning Mine
 Location/Mailing Address: P.O. Box 368
 Pleasant Garden, N.C. 27313
 County: Richland
 Previous Orders: None
 Permit/ID Number: SCG730509
 Violations Cited: S.C. Code Ann. § 48-1-110 (Supp.
 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp.2005)

Summary: Hanson Brick East, LLC (Respondent) owns and is responsible for the Manning Mine located on Monticello Road (U.S. Highway 215) in Richland County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: exceeded the permitted discharge limits for total suspended solids (TSS).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a written Standard Operating Procedure (SOP) for properly and effectively maintaining Best Management Practices (BMPs) to prevent violations of the permitted discharge limits for TSS and pay a civil penalty in the amount of seven thousand two hundred dollars **(\$7,200.00)**.

- 27) Order Type and Number: Consent Order 06-029-W
 Order Date: March 1, 2006
 Respondent: **Richard Tuley Realty, Inc.**
 Facility: Heritage Creek S/D
 Location/Mailing Address: 1950 N. Park Place, Bldg 30
 Atlanta, GA 30339
 County: Greenville
 Previous Orders: None
 Permit/ID Number: SCR108641
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 25 S.C. Code Ann. Regs. 61-68(E)(5)(d) (Supp. 2005) and 24 S.C. Code
 Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2005)

Summary: Richard Tuley Realty, Inc. (Respondent) owns and is responsible for development and construction activities at the Heritage Creek Subdivision (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failure to comply

with all conditions of the permit and failure to install and properly maintain erosion and sediment control devices.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a report, completed and stamped by a S.C. Registered Professional Engineer certifying that the installation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specification; and pay a civil penalty in the amount of twelve thousand eight hundred dollars (**\$12,800.00**).

28) Order Type and Number: Consent Order 06-030-W
Order Date: March 1, 2006
Respondent: **Walt Klima**
Facility: Klima Property
Location/Mailing Address: 3485 N. Highway 25
Greenville, S.C. 29260
County: Greenville
Previous Orders: None
Permit/ID Number: SCR106512
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1) (Supp. 2004) and 61-68.E
(5)(d)

Summary: Walt Klima (Respondent) is responsible for land-disturbing activity at the property (Site). The Respondent has violated the Pollution Control Act, Water Pollution Control Permit Regulations and Water Classifications and Standards as follows: failed to install, operate and maintain best management practices (BMPs) to control sediment and erosion; failed to utilize proper measures to control the quality of storm water runoff; discharged sediment into the environment, including waters of the State; and discharged deleterious material into waters of the State, which is harmful to aquatic life and interferes with classified or existing water uses.

Action: The Respondent has agreed to: pay a civil penalty in the amount of eighteen thousand dollars (**\$18,000.00**). The penalty has been paid.

29) Order Type and Number: Consent Order 06-040-W
Order Date: March 1, 2006
Respondent: **Cliffstar Corporation**
Facility: Cliffstar Corporation
Location/Mailing Address: 1900 Hood Road
P.O. Box 220
Greer, S.C. 29651

County: Spartanburg
Previous Orders: None
Permit/ID Number: SCG250047
Violations Cited: S.C. Code Ann. § 48-1-110 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(d)(1) (Supp. 2005)

Summary: Cliffstar Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and discharge system that serves its manufacturing facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) permit at least 180 days prior to the expiration date of the permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application for renewal of the permit; continue to operate the facility in accordance with the most recently issued NPDES permit until a new permit becomes effective; and pay a civil penalty in the amount of one thousand four dollars (\$1,400.00).

30) Order Type and Number: Consent Order 06-041-W
Order Date: March 1, 2006
Respondent: **Tyco Healthcare Group, LP**
Facility: Kendall Healthcare/Seneca Plant
Location/Mailing Address: 1448 Blue Ridge Blvd.
Seneca, S.C. 29672
County: Oconee
Previous Orders: None
Permit/ID Number: SCG250067
Violations Cited: S.C. Code Ann. § 48-1-90(a) (Supp. 1987), 48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(d)(1) (Supp. 2005)

Summary: Tyco Healthcare Group, LP (Respondent) is responsible for the operation and maintenance of a utility water treatment and discharge system located in the Town of Seneca, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for renewal of its NPDES Permit at least 180 days prior to the expiration date of the permit and discharged wastewater into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application for renewal of its permit; operate the facility in accordance with the most recently

issued NPDES permit until a new permit becomes effective; and pay a civil penalty in the amount of two thousand dollars (\$2,000.00).

- 31) Order Type and Number: Consent Order 06-042-W
 Order Date: March 1, 2006
 Respondent: **City of Darlington**
 Facility: Black Creek WWTF
 Location/Mailing Address: P.O. Box 57
 Darlington, S.C. 29540
 County: Darlington
 Previous Orders: 02-038-W (\$0)
 Permit/ID Number: SC0039624
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp
 2005)

Summary: The City of Darlington (Respondent) owns and is responsible for the proper operation and maintenance of the Black Creek wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits for fecal coliform bacteria (Fecal).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an updated operations and maintenance manual and a summary of corrective actions taken to date; and pay a civil penalty in the amount of four thousand two hundred dollars (\$4,200.00).

- 32) Order Type and Number: Consent Order 06-044-W
 Order Date: March 7, 2006
 Respondent: **Rebecca H. Harmon**
 Facility: Harmon Property
 Location/Mailing Address: 314 Old Abbeville Hwy.
 Greenwood, S.C. 29646
 County: Greenwood
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 24 S.C. Code Ann. Regs. 61-9.122.26(c)(1) (Supp 2004) and 25 S.C. Code
 Ann. Regs. 61-68.E(5)(d) (Supp. 2005)

Summary: Ms. Rebecca H. Harmon (Respondent) owns and is responsible for land clearing activity on a tract of land located at the intersection of Mauldin Road and Calhoun Road in the City of Greenwood. The Respondent has violated the Pollution Control Act, Water Classification and Standards, and the Water

Pollution Control Permit Regulations as follows: discharged sediment into the environment, including waters of the State; failed to obtain coverage under the NPDES General Permit SCR100000; and failed to properly install, operate, and maintain sediment and erosion control measures.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report stamped by a S.C. Registered Professional Engineer certifying that all storm water, sediment and erosion control devices have been installed and are functioning properly, and that the site has been fully stabilized. The civil penalty in the amount of three thousand one hundred twenty-two dollars **(\$3,122.00)** was **suspended**.

33) Order Type and Number: Consent Order 06-045-W
Order Date: March 7, 2006
Respondent: **Oak Hill Anderson, LLC**
Facility: Oak Hill S/D
Location/Mailing Address: 3045 Camp Branch Road
Buford, GA 30519
County: Anderson
Previous Orders: None
Permit/ID Number: SCR109093
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2005)

Summary: Oak Hill Anderson, LLC (Respondent) owns and is responsible for clearing and grading activities at the Oak Hill Subdivision (Site). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to properly install and maintain all storm water control devices and discharged sediment into the environment.

Action: The Respondent has agreed to: submit a detailed report, signed and stamped by a S.C. Registered Professional Engineer, certifying that all storm water, sediment and erosion control measures have been installed and are functioning properly and in accordance with the Department approved Site plans and pay a civil penalty in the amount of eight thousand four hundred dollars **(\$8,400.00)**.

34) Order Type and Number: Consent Order 06-046-W
Order Date: March 7, 2006
Respondent: **SSSC, LLC**
Facility: Tamaron at Thornblade S/D
Location/Mailing Address: 300 North Main Street
Greenville, S.C. 29601
County: Greenville

Previous Orders: None
Permit/ID Number: 28,423-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(3)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3) (Supp. 2005)

Summary: SSSC, LLC (Respondent) owns and is responsible for construction of a gravity sewer main and appurtenances serving the Tamaron at Thornblade S/D (Site) on Thornblade Boulevard in Greenville, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to obtain an Approval to Place Into Operation Certificate for the gravity sewer main and appurtenances from the Region 2 EQC Office.

Action: The Respondent has agreed to: request a final inspection from the Region 2 EQC Office for an Approval to Operate Certificate and pay a civil penalty in the amount of one thousand four hundred dollars **(\$1,400.00)**.

35) Order Type and Number: Consent Order 06-047-W
Order Date: March 24, 2006
Respondent: **Town of Whitmire**
Facility: Town of Whitmire WWTF
Location/Mailing Address: 210 Main Street
Whitmire, S.C. 29178
County: Newberry
Previous Orders: None since 2000
Permit/ID Number: SC0022390
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d) (Supp. 2005).

Summary: The Town of Whitmire (Respondent) is responsible for the operation and maintenance of a wastewater treatment facility (WWTF) located in the Town of Whitmire, South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for chronic toxicity.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of two thousand five hundred fifty dollars **(\$2,550.00)**.

36) Order Type and Number: Consent Order 06-048-W
Order Date: March 24, 2006
Respondent: **Coastal Concrete, Inc.**

Facility: Gaston Plant, Blythewood Plant,
 Richland Plant and the Eastover Plant
Location/Mailing Address: P.O. Box 220
 Bluffton, S.C. 29910
County: Lexington and Richland
Previous Orders: 00-061-W (\$10,000) and 05-129-W
 (\$7,250)
Permit/ID Number: SCR0000000
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 48-1-110(a)(3) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21
 (a)(3) (Supp 2005)

Summary: Coastal Concrete, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of 4 concrete manufacturing plants. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to obtain a permit prior to placing a wastewater treatment facility (WWTF) into operation; failed to provide the Department with the required notices of intent (NOI) to transfer the National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Discharges Associated with Industrial Activities as requested; and discharged process wastewater into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00).

37) Order Type and Number: Consent Order 06-049-W
Order Date: March 29, 2006
Respondent: **City of Newberry**
Facility: Bush River WWTF
Location/Mailing Address: P.O. Box 538
 Newberry, S.C. 29108
County: Newberry
Previous Orders: 01-274-W (\$4200), 03-024-W
 (\$5,000)
Permit/ID Number: SC00244990
Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d) (Supp. 2005).

Summary: The City of Newberry (Respondent) is responsible for the operation and maintenance of a wastewater treatment facility (WWTF) located in Newberry County, South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permits as follows: failed to comply with the effluent limits for chronic toxicity.

Action: The Respondent has agreed to: initiate a series of whole effluent toxicity (WET) tests; submit a Toxicity Reduction Evaluation Plan (TRE); submit reports on the progress made toward attainment of compliance; and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**).

38) Order Type and Number: Consent Order 06-050-W
 Order Date: March 29, 2006
 Respondent: **Town of Yemassee**
 Facility: Town of Yemassee WWTF
 Location/Mailing Address: P.O. Box 577
 Yemassee, S.C. 29945

 County: Hampton
 Previous Orders: None
 Permit/ID Number: SC0025950
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Ann. Regs. 61-9.122.41(a)(1) and (e) (Supp.
 2005)

Summary: The Town of Yemassee (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF (Site) serving the residences and businesses in its designated service area. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for ammonia-nitrogen.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to date to prevent future ammonia-nitrogen violations and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**) in quarterly installments.

39) Order Type and Number: Consent Order 06-052-W
 Order Date: March 24, 2006
 Respondent: **Property Unlimited, LLC**
 Facility: Tramlaw Court & Issaqueena Corner
 Location/Mailing Address: 391 College Ave. Suite 506
 Clemson, S.C. 29631

 County: Pickens
 Previous Orders: None
 Permit/ID Number: 39-02-12-03
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2005) and 25 S.C. Code
 Ann. Regs. 61-68 (E)(5)(d) and (G)(10)(b) (Supp. 2005)

Summary: Properties Unlimited, LLC (Respondent) owns and is responsible for development and construction activity at Tramlaw Court and Issaqueena Corner (Site) located in the City of Clemson, South Carolina. Total disturbed acreage at the Site is approximately 2.90 acres. The Respondent has violated the Pollution Control Act, Standards for Stormwater Management and Sediment Reduction, and associated regulations as follows: failed to keep waters of the State free from deleterious materials that interfere with classified and/or existing water uses; discharged sediment into the environment, including waters of the State; and failed to properly maintain all erosion control devices during all phases of construction.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report completed and stamped by an S.C. Registered Professional Engineer certifying that implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications or submit a Notice of Termination (NOT) for the Site in accordance with Part VIII.A of the permit; and pay a civil penalty in the amount of eleven thousand eight hundred thirty dollars (**\$11,830.00**).

40) Order Type and Number: Consent Order 06-54-W
Order Date: March 29, 2006
Respondent: **Town of Hollywood**
Facility: Town of Hollywood Sanitary Sewer System
Location/Mailing Address: P.O. Box 519
Hollywood, S.C. 29449
County: Charleston
Previous Orders: None
Permit/ID Number: SSS000028
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.610.3(e)
(Supp. 2005)

Summary: The Town of Hollywood (Respondent) is responsible for the operation and maintenance of a satellite sewer system (SSS) serving the residents and businesses in its designated service area. The Respondent has violated the Water Pollution Control Permit Regulations and the Pollution Control Act as follows: failed to comply with all the conditions of its permit; failed to operate and maintain its SSS in accordance with its permit; and discharged wastewater into the environment.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; immediately upon discovery, report 1) all wastewater spills which may pose a threat to human health and/or the environment, 2) all wastewater spills which enter surface waters of the State, and 3) all wastewater

spills which exceed 500 gallons; submit a Corrective Action Plan (CAP) and Diagnostic Evaluation (DE); submit a Preliminary Engineering Report (PER) if an upgrade is required; submit an inflow/infiltration (I/I) study plan; submit a summary report of corrective actions addressing deficiencies in the SSS; inspect all pump stations at least 3 times a week until the pump station upgrades are completed; submit copies of all pump station inspection reports (and corrective action reports); and pay a civil penalty in the amount of twenty four thousand dollars (**\$24,000.00**) in quarterly installments.

- 41) Order Type and Number: Consent Order 06-057-W
 Order Date: March 30, 2006
 Respondent: **Crown Metro Chemicals, Inc**
 Facility: Crown Metro Chemicals, Inc
 Location/Mailing Address: 315 Echelon Road
 Greenville, S.C. 29605

 County: Greenville
 Previous Orders: None
 Permit/ID Number: SCG250091
 Violations Cited: S.C. Code Ann. § 48-1-110 (Supp.
 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(d)(1) (Supp.2005)

Summary: Crown Metro Chemicals, Inc (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and discharge system that serves a manufacturing facility located at 315 Echelon Road in the City of Greenville, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit an administratively complete application for renewal of its NPDES Permit at least 180 days prior to the expiration date of the permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application for renewal of the permit; continue to operate the facility in accordance with the most recently issued NPDES permit until a new permit becomes effective and pay a civil penalty in the amount of one thousand six hundred dollars (**\$1,600.00**).

- 42) Order Type and Number: Consent Order 06-058-W
 Order Date: March 30, 2006
 Respondent: **JPS Automotive d/b/a Collins and Aikman Corp.**
 Facility: Collins and Aikman Corp.
 Location/Mailing Address: 199 Blackhawk Road
 Greenville, S.C. 29611

 County: Greenville
 Previous Orders: None

Permit/ID Number: SCG250116
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(d)(1)
(Supp. 2005)

Summary: JPS Automotive (Respondent) d/b/a Collins and Aikman Corp. is responsible for the operation and maintenance of a utility water treatment and discharge system that serves the Collins and Aikman Corp. manufacturing facility located at 199 Blackhawk Road in the City of Greenville, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit an administratively complete application for renewal of its NPDES Permit at 180 days prior to the expiration date of the Permit and discharged wastewater into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an administratively complete application for renewal of its permit; operate the facility in accordance with the most recently issued NPDES permit until a new permit becomes effective; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

43) Order Type and Number: Consent Order 06-059-W
Order Date: March 30, 2006
Respondent: **Dayton Street, LLC**
Facility: Lan Yair Property
Location/Mailing Address: 200 Muirfield Drive
Campobello, S.C. 29322
County: Spartanburg
Previous Orders: None
Permit/ID Number: 30425-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(3)
(Supp. 2005) and 24 S.C. Ann. Regs. 61-9.122.41(a)(2) (Supp. 2005)

Summary: Dayton Street, LLC (Respondent) owns and is responsible for construction of a gravity sewer main and appurtenances serving the Lan Yair Property (Site) located off U.S. Highway 29 and Webber Road in Spartanburg County, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to obtain approval prior to placing a wastewater collection system into operation.

Action: The Respondent has agreed to: request a final inspection from the Department's Region 2 District Office and if necessary, correct any deficiencies in order to receive an Approval to Operate Certificate and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

BUREAU OF AIR QUALITY

- 44) Order Type and Number: Consent Order 06-04-A
Order Date: February 2, 2006
Respondent: **Malphrus Construction, Inc.**
Facility: Malphrus Construction, Inc.
Location/Mailing Address: 30 Red Oaks Lane
Ridgeland, South Carolina 29936
County: Charleston County
Previous Orders: 03-064-A (\$16,000.00) and 00-022-A (\$5,000.00)
Permit/ID Number: None
Violations Cited: Consent Order 03-064-A and South Carolina Air Pollution Control Regulation 61-62.2, *Prohibition of Open Burning*.

Summary: Malphrus Construction, LLC (Respondent), located in Ridgeland, South Carolina, is a site developer and highway contractor licensed in multiple states to perform specialized construction and project management. The Respondent was hired by Centex Homes to clear land for a residential development known as Woodlands 10 near Old Fort Drive, north of Charleston, South Carolina. On September 12, 2003, the Respondent burned land clearing debris 660 feet from the nearest residence and less than 1,000 feet from the nearest roadway.

Action: The Respondent has agreed immediately and henceforth to cease open burning except as in compliance with South Carolina Air Pollution Control Open Burning Regulations. In addition the Respondent has agreed to pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**) and submit to the Department written documentation indicating its plans to educate and train its employees adequately.

- 45) Order Type and Number: Consent Order 06-05-A
Order Date: February 10, 2006
Respondent: **Elliott Sawmilling Company, Inc.**
Facility: Elliott Sawmilling Company, Inc.
Location/Mailing Address: Post Office Box 638
Estill, South Carolina 29918
County: Hampton
Previous Orders: None
Permit/ID Number: TV-1280-0004
Violations Cited: U.S. EPA 40 CFR 52.21, South Carolina Air pollution Control Regulation 61-62.5, Standard No. 7, *Prevention of Significant Deterioration*, and S.C. Code Ann. § 48-1-110(d)

Summary: Elliott Sawmilling Company, Inc. (Respondent), located in Estill, South Carolina, produces rough and dressed yellow-pine lumber. The Respondent violated U.S. EPA 40 CFR 52, S.C. Pollution Control Act, and S.C. Air Pollution Control Regulations, as follows: failure to submit a construction permit application, including a BACT analysis, and obtain the required Department-issued permits prior to making a modification that resulted in a potential increase of VOC emissions above the threshold of 40 tpy; and exceeded its permitted production limit of 16.6-million bd-ft/yr for kiln No. 4, as established by Synthetic Minor Construction Permit TV-1280-0004-CH.

Action: The Respondent has agreed to comply with a monthly throughput production limit of 1.38 million bd-ft/month for kiln No. 4 until the 12-month rolling sum returns to compliance with the permitted production limit of 16.6 million bd-ft/yr; once compliance with the 12-month rolling sum is achieved, comply with the terms and conditions of its Title V Air Quality Operating Permit TV-1280-0004; obtain required Department-issued permits prior to making any modification which results in a significant increase of any pollutant subject to regulation under the Federal Clean Air Act; and pay to the Department a civil penalty in the amount of ninety-four thousand dollars (**\$94,000.00**).

46)	<u>Order Type and Number:</u>	Consent Order 06-007-A
	<u>Order Date:</u>	February 10, 2006
	<u>Respondent:</u>	Sloan Construction Company, Inc.
	<u>Facility:</u>	Sloan Construction Company, Inc.
	<u>Location/Mailing Address:</u>	Post Office Box 1957 Columbia, South Carolina 29201
	<u>County:</u>	Richland
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	9900-0466
	<u>Violations Cited:</u>	U.S. EPA 40 CFR 52.21 and South Carolina Air Pollution Control Regulation 61-62.5, Standard 7, <u>Prevention of Significant Deterioration</u> (PSD); U.S. EPA 40 CFR 60.7(a)(1) and South Carolina Air Pollution Control Regulation 61-62.60 - Subpart A; and South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> .

Summary: Sloan Construction Co., Inc. (Respondent) operates several asphalt plants throughout South Carolina and owns a new asphalt plant located at 630 Rosewood Avenue in Columbia, South Carolina. The Respondent violated Federal and State regulations as follows: failed to complete a PSD review or accept Federally enforceable limits prior to commencing construction of the new asphalt plant; failed to submit a notification of construction to the Department within 30 days after construction commenced; and failed to apply for and obtain a permit to construct prior to commencing construction of the asphalt plant.

Action: The Respondent has agreed to either accept Federally enforceable limits to avoid the permitting requirements of PSD or complete a PSD review prior to beginning construction of a major stationary source; obtain appropriate permits from the Department prior to constructing, altering, or adding to any sources of air contaminants; submit applicable notifications in accordance with New Source Performance Standard requirements; submit to the Department a revised Subpart A notification that correctly indicates the date construction of the new asphalt plant commenced; and pay a civil penalty in the amount of six thousand dollars (\$6,000.00).

47) Order Type and Number: Consent Order 06-006-A
Order Date: February 10, 2006
Respondent: **InChem Corporation**
Facility: InChem Corporation
Location/Mailing Address: 800 Cel-River Road
Rock Hill, South Carolina 29730
County: York
Previous Orders: 03-030-A (\$18,000)
Permit/ID Number: 2440-0062
Violations Cited: Consent Order 03-030-A; S.C. Code Ann. § 48-1-110(d); South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program; and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements.

Summary: InChem Corporation (Respondent) manufactures specialty polymer resins. The Respondent violated Federal and State regulations and permit requirements as follows: failed to submit timely, accurate, and complete Title V Annual Compliance Certifications (TVACCs) for reporting periods ending March 9, 2004 and 2005; failed to conduct a semiannual visual inspection for monitoring opacity while burning fuels other than natural gas or propane in its boiler; failed to report monthly and 12-month rolling sums for fuel consumption of both natural gas and No. 2 fuel oil for its hot oil unit during ten quarterly reporting periods; failed to submit two timely No. 2 fuel oil sulfur content reports and fuel usage reports; failed to submit a timely semiannual report of incidences of operation outside established operational ranges for its condenser, scrubber, and carbon canisters; failed to prepare a control device Monitoring Plan and submit annual Monitoring Plan certifications; and failed to submit a written request to obtain an operating permit at least 15 days prior to producing a new phenolic resin.

Action: The Respondent has agreed to: maintain records of fuel consumption; maintain records of monitoring data for its carbon canisters; submit periodic reports; apply for and obtain necessary permits from the Department prior to constructing and operating sources of air contaminants; submit a revised TVACC for the reporting period ending March 9, 2004; and pay a civil penalty in

the amount of twenty-two thousand five hundred dollars **(\$22,500.00)** payable in six (6) equal payments of three thousand seven hundred-fifty dollars (\$3,750.00) each.

- 48) Order Type and Number: Consent Order 06-09-A
 Order Date: March 6, 2006
 Respondent: **Galey & Lord, LLC**
 Facility: Galey & Lord, LLC
 Location/Mailing Address: Post Office Drawer 157
 Society Hill, South Carolina 29593

 County: Darlington
 Previous Orders: 03-007-A (\$10,000)
 Permit/ID Number: 0820-0010
 Violations Cited: S.C. Code Ann. § 48-1-90(a) and
 South Carolina Air Pollution Control Regulation 61-62.5, Standard 1,
 Section I – Visible Emissions

Summary: Galey & Lord, LLC (Respondent), is a textile dyeing and finishing facility. The Respondent violated State regulations and permit requirements as follows: exceeded the 20% opacity limits for Boiler #1 and Boiler #2.

Action: The Respondent has agreed to: comply with opacity limits for its boilers; pay a civil penalty in the amount of five thousand dollars **(\$5,000.00)**; and pending re-issuance of its Title V Permit, it also has the option to remove the Continuous Opacity Monitor from service from each of its boilers upon startup of a new wet scrubber.

- 49) Order Type and Number: Consent Order 06-10-A
 Order Date: March 7, 2006
 Respondent: **Giant Cement Company**
 Facility: Giant Cement Company
 Location/Mailing Address: Post Office Box 218
 Harleyville, South Carolina 29448

 County: Dorchester
 Previous Orders: 01-016-A (\$4,000), 02-018-A
 (\$9,000), 04-067-A (\$10,000), and
 05-048-A (\$13,500)

 Permit/ID Number: 0900-0002
 Violations Cited: Consent Order 04-067-A; Consent
 Order 05-048-A; U.S. EPA 40 CFR 63.1348 and 63.6(h) and South
 Carolina Air Pollution Control Regulation 61-62.63 - Subpart LLL and
 Subpart A; S.C. Code Ann. § 48-1-90(a); South Carolina Air Pollution

Control Regulation 61-62.5, Standard 4, Section X, Non-Enclosed Operations; and South Carolina Air Pollution Control Regulation 61-62.6, Section II - Control of Fugitive Particulate Matter in Problem Areas.

Summary: Giant Cement Company (Respondent) operates a Portland cement manufacturing facility. The Respondent violated Federal and State regulations and permit requirements as follows: failed to conduct all non-enclosed operations and to implement sufficient dust control measures in such a manner to minimize particulate matter (PM) emissions from its premises and roadways; caused or permitted fugitive PM emissions that could be reasonably controlled to escape into the ambient air; and failed on six occasions to limit opacity to 10% each from two conveyor transfer points and from other sources.

Action: The Respondent has agreed to: conduct all non-enclosed operations in such a manner to minimize PM emissions; implement sufficient dust control measures to minimize PM emissions from its premises and roadways; not cause or permit fugitive PM emissions that could be reasonably controlled to escape into the ambient air; limit opacity from each affected source to 10%; and pay a civil penalty in the amount of thirty-six thousand five hundred dollars (\$36,500.00).

50)	<u>Order Type and Number:</u>	Consent Order 06-11-A
	<u>Order Date:</u>	March 15, 2006
	<u>Respondent:</u>	Palmetto Vermiculite, Inc.
	<u>Facility:</u>	Palmetto Vermiculite, Inc.
	<u>Location/Mailing Address:</u>	Post Office Box 178 13093 Hwy 221 S Woodruff, South Carolina 29388
	<u>County:</u>	Spartanburg County
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	2060-0181
	<u>Violations Cited:</u>	U.S. EPA Regulations at 40 CFR 60 – <i>Standards Of Performance For New Stationary Sources</i> (“NSPS”) and SC Regulation 62.60 – <i>South Carolina Designated Facility Plan and</i> <i>NSPS, Subparts A – General Provisions and Subparts UUU – Standards</i> <i>of Performance For Calciners and Dryers In Mineral Industries</i> and SC Code Ann. § 48-1-110(d), and SC Regulation 61-62.1 – <i>Section II, Permit</i> <i>Requirements</i> .

Summary: Palmetto Vermiculite, Inc (“Respondent”), located in Woodruff, South Carolina, mines, expands, and distributes vermiculite used in various consumer products. On November 10, 2004, the Department issued State Air Quality Operating Permit 2060-0181, authorizing the operation of: eight (8) exfoliating furnaces, two screen systems, a compounding system, a SWECO screen used to separate raw vermiculite ore, two truck loading areas and bucket elevator, a cement silo loading system, storage and holding bins, and

corresponding control devices. On August 31, 2005, Department personnel conducted a comprehensive inspection at the Respondent's facility and found several record-keeping deficiencies and an additional sand processing screen. On January 11, 2006, the Department held an enforcement conference with the Respondent. During the conference the Respondent acknowledged that the violations occurred.

Action: The Respondent has agreed henceforth to; obtain appropriate permits or permit exemptions from the Department prior to constructing, altering, or adding to any sources of air pollutants; adhere to all applicable NSPS requirements; and adhere to all applicable requirements of its State Air Quality Operating Permit 2060-0181. In addition the Respondent has agreed to pay a civil penalty in the amount of four thousand dollars **(\$4,000.00)**.

51) Order Type and Number: Consent Order 06-012-A
Order Date: March 24, 2006
Respondent: **Carolina Wrecking, Inc.**
Facility: Carolina Wrecking, Inc.
Location/Mailing Address: 141 Cort Road
Columbia, South Carolina 29203
County: Richland
Previous Orders: None
Permit/ID Number: 9900-0260
Violations Cited: U.S. EPA 40 CFR 60.7(a)(1), 60.7(a)(3), and 60.8(a) and South Carolina Air Pollution Control Regulation 61-62.60 - Subparts A, and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements

Summary: Carolina Wrecking, Inc. (Respondent), operates a crushing operation to recycle demolition debris at the 500 block of Elmwood Avenue in Columbia, South Carolina. The Respondent violated Federal and State regulations as follows: failed to submit notification of construction of a new crusher and conveyor system within 30 days after construction commenced; failed to submit a notification of the actual date of initial startup of the crusher no later than 15 days after such date; failed to conduct a performance test within 60 days after achieving the maximum production rate at which the crusher would be operated, but not later than 180 days after initial startup; and failed to obtain necessary permits prior to constructing and operating the new crusher.

Action: The Respondent has agreed to: obtain appropriate permits from the Department prior to constructing, altering, or adding to any sources of air contaminants; submit applicable notifications in accordance with requirements of New Source Performance Standards (NSPS); conduct a Department-approved performance test for the new crusher to demonstrate compliance with particulate

matter emissions as required by NSPS; and pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)**.

- 52) Order Type and Number: Consent Order 06-013-A
 Order Date: March 24, 2006
 Respondent: **Sacon, Inc.**
 Facility: Sacon, Inc.
 Location/Mailing Address: Post Office Box 581
 Elgin, South Carolina 29045
 County: Richland
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: U.S. EPA 40 CFR 61.145(a), and
 South Carolina Air Pollution Control Regulation 61-86.1, Sections III.A.1.
 and 2., IV.B.1. and 5., and VI.B. and D.

Summary: Sacon, Inc. (Respondent), is a construction company. The Respondent violated Federal and State regulations as follows: failed to thoroughly inspect a regulated building or structure for the presence of asbestos-containing materials (ACM) prior to commencement of renovation; failed to provide written notice prior to beginning an asbestos project; failed to obtain an asbestos project license prior to beginning an asbestos project; failed to use workers licensed by the Department to conduct an asbestos project involving regulated ACM (RACM); and failed to adhere to the required work practice requirements for an asbestos project involving RACM, including but not limited to wetting, proper removal, and storage of RACM.

Action: The Respondent has agreed to: ensure that an asbestos building inspector licensed pursuant to Department Regulations performs an asbestos inspection prior to commencement of any renovation; provide the required written notice prior to beginning any asbestos project involving RACM; obtain an asbestos project license prior to beginning any asbestos project involving RACM; ensure that no workers engage in an asbestos project involving RACM unless licensed by the Department; adhere to the required work practice requirements for an asbestos project involving RACM; ensure that its President completes a 40-hour Department-approved asbestos-supervisor training course and submits written verification indicating such; and pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)**.

- 53) Order Type and Number: Consent Order 06-014-A
 Order Date: March 24, 2006
 Respondent: **Elijah Blocker, Sr.**
 Facility: None
 Location/Mailing Address: 131 Hancock Road
 Aiken, South Carolina 29801

<u>County:</u>	Aiken
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	None
<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <i>Prohibition of Open Burning</i> .

Summary: Elijah Blocker, Sr. (Respondent), owns property and resides at 131 Hancock Road in Aiken County, South Carolina. The Respondent violated South Carolina Open Burning Regulations in that he burned prohibited materials consisting of household trash, tires, and construction and demolition debris, approximately 120 feet from a public roadway.

Action: The Respondent has agreed to immediately and henceforth cease open burning except as provided by the Open Burning Regulations. A **suspended penalty** in the amount of two hundred fifty dollars **(\$250.00)** was assessed pending the removal and proper disposal of solid waste associated with the burning activity.